

HOUSE No. 1220

By Mr. Loscocco of Holliston, petition of Paul J.P. Loscocco relative to home schooling. Education.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO HOME SCHOOLING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 11 of chapter 69 of the General Laws, as appearing in
2 the 2002 official edition, is hereby amended by inserting after the
3 sixth paragraph the following two paragraphs:

4 The superintendent of every public school district in the com-
5 monwealth shall on or before October 15 each year notify in
6 writing the headmaster of each private and parochial school and
7 the parent or guardian of every student who is otherwise
8 instructed within the district of the opportunity for said private or
9 parochial school or otherwise instructed student voluntarily to
10 participate in and with the statewide assessment of students in
11 grades 4, 8, and 10 as authorized in section 11 of chapter 69; pro-
12 vided, however, that the results of any such assessment tests by
13 private and parochial school students or of any student who is oth-
14 erwise instructed shall not be used to evaluate the performance of
15 any public school within the school district or the performance of
16 the school district and all records of such results shall be collected
17 and maintained separately by the department; provided further,
18 however, that no public funds shall be expended by the public
19 school district for any costs associated with the acquisition, distri-
20 bution, or administration of said tests relative to any student of
21 each such private and parochial school unless that student resides
22 in the public school district where such private or parochial school
23 is located. Any private or parochial school or the parents or
24 guardians of any student attending any private or parochial school
25 or of any student who is otherwise instructed electing to have any

26 student participate in said testing shall notify the superintendent
27 of the decision no later than November 15, with any such partici-
28 pation at all times to be voluntary.

29 Any student who is otherwise instructed pursuant to this section
30 and who requests a diploma from a public high school shall be
31 required to satisfy the requirements of the competency determina-
32 tion established in section 1 D of chapter 69 as a condition for
33 receiving said diploma, which upon satisfaction of such require-
34 ments of competency determination shall be granted; provided,
35 however, that the assessment instrument used to verify compe-
36 tency determination shall be given at state expense; and provided
37 further that in the case of any student who is otherwise instructed
38 and fails to meet the requirements of the competency determina-
39 tion, the school district may, but shall not be required to, provide a
40 remedial plan as defined in subsection (i) of section 1 D of
41 chapter 69; provided, however, that nothing herein shall limit the
42 rights of any student otherwise instructed who re-enrolls as a stu-
43 dent within the public school district.